

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PCT  
ATTENTION: ERIN M. PENDER  
PCT LEGAL ADMIN.

In re Application of:

Yahya HAGHIRI et al.

PCT/DO/EO/US

Serial No.: 09/926,010

Filing Date: 14 August 2001

Attorney Docket: HAGH3001/JEK

For: PORTABLE DATA SUPPORT WITH A DETACHABLE MINI CHIP CARD

**RENEWED SUBMISSION UNDER 37 C.F.R. § 1.42**

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

15 APR 2001

Legal Coun.  
International Division

Sir:

This paper is a request for reconsideration of the refusal for status under 37 C.F.R. §1.42.

**BACKGROUND**

The Declaration previously submitted in support of Applicants' request for status under 37 C.F.R. §1.42 apparently was defective in so far as it indicated on the first page that the inventor Yahya Haghiri was a citizen of Germany, whereas on page 3 he is identified as a citizen of Iran.

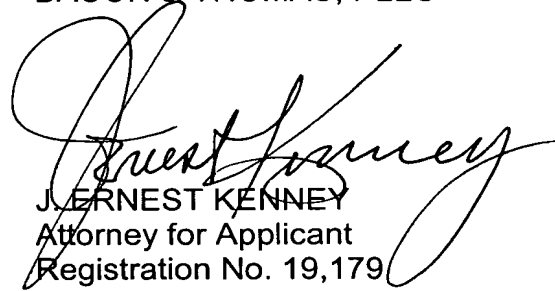
**NEW SUBSTITUTE DECLARATION**

Applicants herewith submit a substitute Declaration that consistently identifies Yahya Haghiri as a citizen of Iran. It is respectfully submitted that the Declaration now is in full compliance with 37 C.F.R. §1.497(a) - (b).

International Application No. PCT/EP00/01272  
Attorney Docket: HAGH3001/JEK

Acceptance of Applicants' status under 37 C.F.R. §1.42 is respectfully requested.

Respectfully submitted,  
BACON & THOMAS, PLLC

  
J. ERNEST KENNEY  
Attorney for Applicant  
Registration No. 19,179



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Date: April 15, 2003

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**DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: **PORTABLE DATA SUPPORT WITH A DETACHABLE MINI CHIP CARD**  
the specification of which (check one):

☐ is attached hereto, or ☒ was filed on: **16 February 2000**

as U.S. Application Number or PCT

International Application Number: **09/926,010**

and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code §119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| PRIOR FOREIGN APPLICATION(S) |         |                      | PRIORITY CLAIMED |    |
|------------------------------|---------|----------------------|------------------|----|
| Number                       | Country | Day/Month/Year Filed | Yes              | No |
| 199 06 569.1                 | Germany | 17 February 1999     | X                |    |
|                              |         |                      |                  |    |

☐ Additional Priority Application(s) Listed on Following Page(s)

| I HEREBY CLAIM THE BENEFIT UNDER TITLE 35 U.S. CODE §119(E) OF ANY U.S. PROVISIONAL APPLICATIONS LISTED BELOW. |                      |
|--|----------------------|
| Application Number   | Day/Month/Year Filed |
|  |                      |
|  |                      |

☐ Additional Provisional Application(s) Listed on Following Page(s)

I hereby claim the benefit under *Title 35, United States Code, §120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, §112*, I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56* which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| Application Number | Filing Date | Status - Patented, Pending or Abandoned |
|--------------------|-------------|---|
|                    |             |   |
|                    |             |   |

☐ Additional US/PCT Priority Application(s) listed on Following Page(s)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under *section 1001 of title 18 of the United States Code* and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: J. Ernest Kenney, Reg. No. 19,179; Eugene Mar, Reg. No. 25,893; Richard E. Fichter, Reg. No. 26,382; Thomas J. Moore, Reg. No. 28,974; Joseph DeBenedictis, Reg. No. 28,502; Benjamin E. Urcia, Reg. No. 33,805; and

I (we) authorize my(our) attorneys to accept and follow instructions from Klunker Schmitt-Nilson Hirsch regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I (we) or my(our) assigns withdraw this authorization in writing.

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|  |   |
|--|---|
| FULL NAME OF FIRST OR SOLE INVENTOR<br><b>Yahya HAGHIRI (Deceased)</b> | CITIZENSHIP<br><b>Iran</b>  |
| RESIDENCE ADDRESS<br>Winzererstrasse 98, D-80797 Munchen, Germany      | POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW |
| DATE   | SIGNATURE<br><b>*see following pages</b>  |

☒ See following page(s) for additional joint inventors.

## CONTINUATION OF DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

Page 2

| PRIOR FOREIGN APPLICATION(S) (35 USC §119) |         |                      | PRIORITY CLAIMED |    |
|--|---------|----------------------|------------------|----|
| Number                                     | Country | Day/Month/Year Filed | Yes              | No |
|  |         |                      |                  |    |
|  |         |                      |                  |    |

| PRIOR PROVISIONAL APPLICATIONS 35 U.S. CODE §119(E) |                      |
|---|----------------------|
| Application Number                                  | Day/Month/Year Filed |
|   |                      |
|   |                      |

| PRIOR U.S. OR PCT INTERNATIONAL APPLICATIONS (35 U.S. CODE §120) |             |   |
|--|-------------|---|
| Application Number   | Filing Date | Status - Patented, Pending or Abandoned |
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|  |             |   |

|   |   |
|---|---|
| FULL NAME OF JOINT INVENTOR<br><b>Renee-Lucia BARAK</b>             | CITIZENSHIP<br><b>Germany</b>   |
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| DATE  | SIGNATURE   |

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| RESIDENCE ADDRESS           | POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW |
| DATE                        | SIGNATURE   |

|                             |   |
|-----------------------------|---|
| FULL NAME OF JOINT INVENTOR | CITIZENSHIP   |
| RESIDENCE ADDRESS           | POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW |
| DATE                        | SIGNATURE   |

|                             |   |
|-----------------------------|---|
| FULL NAME OF JOINT INVENTOR | CITIZENSHIP   |
| RESIDENCE ADDRESS           | POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW |
| DATE                        | SIGNATURE   |

☒ See following pages for additional joint inventors/priority applications.

|  |   |
|--|---|
| FULL NAME OF JOINT INVENTOR<br><b>Yahya HAGHIRI (Deceased)</b> | CITIZENSHIP<br>Iran   |
| RESIDENCE ADDRESS<br>München, Germany                          | POST OFFICE ADDRESS<br>Winzererstrasse 98,<br>D-80797 München, Germany  |
| DATE<br><br><u>X 19 March 2003</u>                             | SIGNATURE<br><br><u>X Toubha Haghiri</u><br>Touba HAGHIRI-TEHRANI, citizen of Iran, as heir of<br>Yahya HAGHIRI |

|   |  |
|---|--|
| <b>Touba HAGHIRI-TEHRANI, heir of Yahya HAGHIRI-TEHRANI</b> | CITIZENSHIP<br>Iran  |
| RESIDENCE ADDRESS<br>München, Germany                       | POST OFFICE ADDRESS<br>Winzererstrasse 98,<br>D-80797 München, Germany |
| DATE<br><br><u>X 19 March 2003</u>                          | SIGNATURE<br><br><u>X Toubha Haghiri</u>                               |

|   |   |
|---|---|
| FULL NAME OF JOINT INVENTOR<br><b>Sina HAGHIRI-TEHRANI,</b><br>who is a minor and heir of Yahya HAGHIRI | CITIZENSHIP<br>Iran   |
| RESIDENCE ADDRESS<br>München, Germany   | POST OFFICE ADDRESS<br>Winzererstrasse 98,<br>D-80797 München, Germany  |
| DATE<br><br><u>X 19 March 2003</u>  | SIGNATURE<br><br><u>X Toubha Haghiri</u><br>By Toubha Haghiri-Tehrani, parent of Sina Haghiri-Tehrani,<br>a minor and heir of Yahya Haghiri |